

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Crim. No. 20cr10024-DPW
)	
DANILO SOTO)	

SENTENCING MEMORANDUM

Pursuant to the plea agreement in this case, the Government recommends a sentence of 41 months' incarceration to be followed by 3 years of supervised release and \$100 special assessment. The Government does not recommend a fine in light of Defendant's financial situation.

Defendant's actions in this case placed members of the community in danger in a myriad of ways. Defendant pled guilty to trafficking in both fentanyl and cocaine base. *See* PSR at ¶¶ 8-22. Both drugs are highly dangerous, with fentanyl presenting an extraordinary danger of potential lethal overdoses to those who abuse it either knowingly or mistakenly. The danger presented to the community by Defendant's actions warrants a sentence of 41 months. In this regard, based on the quantity of fentanyl distributed by Defendant's conspiracy, Defendant could have been subject to a 60-month mandatory minimum sentence. Thus, the proposed sentence of 41 months already reflects a reduction in the potential sentence faced by Defendant due to his drug trafficking.

Based on all of the circumstances of the case, Defendant should receive a sentence of 41 months with 3 years of supervised release to follow, no fine (due to Defendant's lack of resources), and a \$100 mandatory special assessment.

Respectfully submitted,

NATHANIEL R. MENDELL
Acting United States Attorney

By: /s/ *Michael Crowley*
MICHAEL CROWLEY
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I, Michael J. Crowley, Assistant United States Attorney, do hereby certify that this document, filed through ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non-registered participants on this date.

/s/ *Michael J. Crowley*
MICHAEL J. CROWLEY
Assistant U.S. Attorney